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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

WAKEFIELD KENNEDY, LLC,  
a Washington limited liability company,

*Plaintiff,*

v.

D. SHANE BALDWIN AND JANE DOE  
BALDWIN, husband and wife, and METRO  
NATIONAL SETTLEMENT SERVICES LLC,

*Defendants.*

STATE CAPITAL HOLDINGS, LLC, a New York  
limited liability company,

*Plaintiff,*

v.

SILVERLEAF FINANCIAL 9, LLC, METRO  
NATIONAL TITLE COMPANY, METRO NATIONAL  
SETTLEMENT SERVICES, LLC, D. SHANE  
BALDWIN, MARK STAPLES, SILVERLEAF  
FINANCIAL LLC, and WAKEFIELD KENNEDY LLC,  
*Defendants.*

Consolidated Case No.:  
2:11-CV-00604

**MOTION TO AMEND  
COMPLAINT AND TO  
ADD PARTIES AND  
[PROPOSED] ORDER**

Judge: Dee Benson

Plaintiff State Capital Holdings, LLC ("Plaintiff"), by and through its counsel,

respectfully moves the Court pursuant to Fed. R. Civ. P. Rule 15 for an order granting Plaintiff leave to file an Amended Complaint.

The basis for this motion is as follows: Since Plaintiff's action was removed from the state court in New York and removed to the United States District Court, Eastern District of New York, and thereafter transferred to this Court and consolidated with the action entitled *Wakefield Kennedy LLC v. Baldwin*, discovery has been conducted and Plaintiff has learned of new facts and of other parties that should be made parties hereto. Under the liberal standards in Rule 15, amending Plaintiff's Complaint will not cause prejudice to any party or undue delay, and is not made in bad faith.

This motion is accompanied by a Memorandum of Law in Support of Motion for Leave to File an Amended Complaint, filed herewith.

WHEREFORE, Plaintiffs move for an Order that

1. Movant be granted leave to serve summons and amended complaint upon METRO NATIONAL SETTLEMENT SERVICES, LLC, D. SHANE BALDWIN, MARK STAPLES, SILVERLEAF FINANCIAL LLC and WAKEFIELD KENNEDY, LLC.
2. Movant be granted an Order giving leave to file the Amended Complaint attached to Plaintiff's Memorandum of Law as Exhibit A.
3. That the CLERK OF THE COURT shall immediately issue a Summons as to Defendants METRO NATIONAL SETTLEMENT SERVICES, LLC, D. SHANE BALDWIN, MARK STAPLES, SILVERLEAF FINANCIAL LLC and WAKEFIELD KENNEDY, LLC and mail it to Counsel for Plaintiffs at the following address: Goldberg & Rimberg, PLLC, Attn: Steven A. Weg, 115 Broadway, Suite 302, New York, New York 10006.
4. In the interest of preserving environmental resources, the Amended Complaint be

deemed served on all defendants who have previously appeared herein.

DATED this 30<sup>th</sup> day of March 2012.

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[PROPOSED] **ORDER**

IT IS SO ORDERED

Dated:\_\_\_\_\_

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